

REMARKS

This Amendment is being submitted in response to the Final Official Action dated 13 May 2010. Claims 36 and 40 are amended, and claims 26-30 and 32 are herein canceled. Thus, claims 36 and 40 are pending in this application.

Applicant appreciates the Examiner's indication that claims limited to administration of the four agent combination of disulfiram, BSO, curcumin, and BCNU are unobvious over the prior art of record. All claims 26-30 and 32 not limited to the four agent combination are herein canceled.

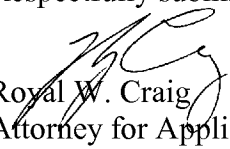
Claims 26, 36, and 41 were provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 9-15, 20, and 25-28 of copending Application No. 11/596,043. Applicant includes a proper terminal disclaimer herewith.

Lastly, the Examiner rejected claims 26-28, 30, 32, 36, and 41 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. Claims 26 and 41 recite the limitations: "a plurality of separate dosage units of said drug..." The only disclosure of separate dosage units is found in [0080] of the published patent application, but the Examiner contends that this reference is directed to separate dosage units of [GSH]₂/[GSSG]-decreasing agents, not E-increasing agents, and so there is no support for a plurality of separate dosage units of said drug as a whole. This rejection derives from the Examiner's interpretation of [0073] of the published patent application, which states "Thus, the addition of a [GSH]₂/[GSSG]-decreasing and E-increasing agent, in effect, weakens the tumor cells selectively, so that a smaller concentration of a standard chemotherapeutic agent will be rendered more effective

against tumor cells.” Evidently the Examiner interpreted the word "and" to imply that a [GSH]2/[GSSG]-decreasing agent was one thing and an E-increasing agent was another thing. This was not intended. The intent at [0073] was to refer to a single agent that is both a [GSH]2/[GSSG]-decreasing agent and an E increasing agent. Applicant’s intended interpretation is supported by the balance of their specification. For example, the subject application explicitly cites the Nernst equation [0034] which describes the relationship between a redox potential and the redox couple. Per the Nernst equation, agents that decrease the [GSH]2/[GSSG] ratio are inherently E-increasing agents. Consequently, Applicant herein amends para [0073] of the specification to make this clear.

In light of the foregoing amendments and argument, Applicant asserts that all claims are now in condition for allowance. As the amendments do not introduce any new issues into the present application, entry and allowance are believed to be appropriate.

Respectfully submitted,


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